UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/736,575	12/15/2000	Hiroshi Ono	017446/0307	3659

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EXAMINER
NAJJAR, SALEH

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/736,575	ONO, HIROSHI
	Examiner	Art Unit	
	Saleh Najjar	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01 September 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-32</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-32</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1.   This action is responsive to the after final response submitted on September 1, 2004. Claims 1-32 are pending. Claims 1-32 represent a method and system directed toward expression style processing for a portable communication terminal. Upon further consideration and examination, a new prior reference was uncovered. A new non-final office action is being issued in this office action

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-3, 5-11, 13-19, 21-27, and 29-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Tran, U.S. Patent No. 6,054,990.

Tran teaches the invention as claimed including a graphical data entry system using a wireless handheld device (see abstract).

As to claim 1, Tran teaches an expression style processing method for a portable radio communication terminal which transmits/receives a multimedia content formed from an object having character data, image data, or voice data through a network including a radio data communication network, comprising the steps of:

storing a plurality of objects (see col. 13, lines 40-55, Tran discloses storing a plurality of objects in the handheld unit));

generating an expression style format for expressing the stored objects (see col. 8, lines 20-50; col. 9, lines 1-67, Tran discloses generating an expression style format using an input pen for inputting handwritten characters to express the stored objects); and

storing the generated expression style format (see col. 10, lines 1-67, Tran

discloses storing the handwritten input).

As to claim 2, Tran teaches the method according to claim 1, wherein said

method further comprises the step of providing an image, and the step of storing a

plurality of objects comprises the steps of converting the provided image to digitally

processable image data, and storing the image data as the object (see col. 16, lines 1-

67, Tran discloses the ability to generating objects from sensed images).

As to claim 3, Tran teaches the method according to claim 1, wherein said

method further comprises the step of inputting a character, and the step of storing a

plurality of objects comprises the steps of converting the inputted character to digitally

processable character data, and storing the character data as the object (see col. 9,

lines 1-67, Tran discloses providing handwritten notation and storing the inputted

characters as objects).

As to claim 5, Tran teaches the method according to claim 1, further comprising

the steps of:

selecting and displaying at least one of the stored objects, and generating the

expression style format by registering the displayed object as an expression

style format (see col. 13, lines 1-67, Tran discloses providing a menu for user selection

and manipulation of displayed objects).

As to claim 6, Tran teaches the method according to claim 5, wherein the step of

generating the expression style format comprises the step of generating the expression

style format by defining an order of additional registration of the respective objects as an

expression order (see col. 13, lines 50-65).

As to claims 7-8, Tran teaches the method according to claim 1, further comprising the

step of expressing the respective objects on the basis of the stored expression style

format to reconstruct operation of the expression style format, and changing

expressions of the objects registered in the stored expression style formatted to correct

the expression style format (see col. 13-14, Tran discloses providing a menu for user selection and manipulation of displayed objects).

As to claim 9, Tran teaches the method according to claim 8, wherein the expression of each object includes at least one of a display position, display order, and size of the object (se col. 14, lines 1-67).

As to claim 10, Tran teaches the method according to claim 1, wherein said method further comprises the step of downloading at least one of character data and a description language through the network, and the step of storing a plurality of objects comprises the step of storing at least one of the downloaded character data and description language as the object of the character data (see col. 9-10).

As to claim 11, Tran teaches the method according to claim 1, wherein said method further comprises the step of downloading image data through the network, the step of storing a plurality of objects comprises the step of storing the downloaded image data as the object (see col. 11, line 40, Tran discloses that the user may import files containing the image data to be used as the objects).

As to claim 13, Tran teaches the method according to claim 1, wherein said method further comprises the steps of superposing and displaying a plurality of objects each formed from at least one of image data and character data in a single window, and synthesizing the plurality of objects superposed and displayed to generate one new image data, and the step of storing a plurality of objects comprises the step of storing the image data obtained by synthesis as a new object (se col. 9-14).

As to claim 14, Tran teaches the method according to claim 13, further comprising the step of, after synthesis of the new image data, deleting the plurality of objects used for synthesis (see col. 11, lines 45-50, Tran discloses that the user may delete objects used to synthesize the image data).

As to claim 15, Tran teaches the method according to claim 1, wherein said method further comprises the steps of downloading a description language including a superposition expression of a plurality of objects through the network, superposing and displaying the objects used in the superposition expression of the

downloaded description language in a single window, and synthesizing the objects superposed and displayed to generate one new image data, and the step of storing a plurality of objects comprises the step of storing the image data obtained by synthesis as a new object (see col. 12-14).

As to claim 16, Tran teaches the method according to claim 15, further comprising the step after synthesis of the new image data, deleting the plurality of objects used for synthesis (see col. 11, lines 45-50, Tran discloses that the user may delete objects used to synthesize the image data).

Claims 17-19, 21-27, and 29-32 do not teach or define any new limitations above claims 1-3, 5-11, 13-16 and therefore are rejected for similar reasons.

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 4, 12, 20, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tran, U.S. Patent No. 6,054,990.

Tran teaches the invention substantially as claimed including a graphical data entry system using a wireless handheld device (see abstract).

As to claim 4, Tran teaches the method according to claim 1.

Tran does not explicitly teach the claimed limitation of inputting a voice, and the step of storing a plurality of objects comprises the steps of converting the input voice to digitally processible voice data, and storing the voice data as the object.

However, Tran discloses that the voice recognition software can allow the user to train the voice recognition software using a context guide (see col. 10, lines 25-40).

It would have been obvious t one of ordinary skill in the art at the time of the invention to modify Tran by specifying the step of template matching speech as

converting the input voice to digitally processible voice data, and storing the voice data as the object since the same functionality of storing voice objects is achieved.

As to claim 12, Tran teaches the method according to claim 1.
Tran does not explicitly teach the claimed limitation of downloading voice data through the network, and the step of storing a plurality of objects comprises the step of storing the downloaded voice data as the object.

However, Tran discloses that speech recognition software is downloaded to the device for capturing and recognizing speech inputted by the user (see col. 9-13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tran by specifying the speech recognition software downloading as downloading voice data through the network, and the step of storing a plurality of objects comprises the step of storing the downloaded voice data as the object since the same functionality of downloading a storing voice objects are achieved.

Claims 20, and 28 do not teach or define any new limitations above claims 1, 12 and therefore are rejected for similar reasons.

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (703) 308-7613. The examiner can normally be reached on Monday-Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Ario Etienne*, can be reached on (703) 308-7562. The fax phone number for this Group is (703) 308-9052.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The central official fax number for the group is (703) 872-9306.

Saleh Najjar
Primary Examiner / Art Unit 2157